REMARKS

Claims 1-16 are currently pending.

The Examiner rejected claims 1-7, 9-14, and 16 under 35 U.S.C. §103(a) as being unpatentable over Polly (U.S. Patent No. 3,667,315) in view of Hahmann (DE2019346) and further in view of Yang (U.S. Patent No. 4,181,190).

Claim 1 defines a heated handgrip assembly that is adapted to be secured to a vehicle handlebar. The heated handgrip includes a grip having a first end adapted to receive the handlebar and a second end opposite the first end. A grip sleeve extends between the first and second ends. A heating element is operable to provide a heat output. The grip sleeve defines a first outer diameter. A dial extends from the second end to control the heat output of the heating element. The dial has a second outer diameter that is smaller than the first outer diameter.

Polly does not teach or suggest a heated handgrip assembly that includes, among other things, a dial that extends from the second end of the handgrip to control the heat output of the heating element. Rather, Polly discloses a handle bar heater for a snowmobile. The heater includes a cartridge heater 21 that is disposed within the handle bar. The cartridge heater is inserted into the open end 12 of the handle bar and is held in place by suitable filling material and a spring or shim 29. Insulating plugs 30 and 31 are positioned in the opening 12 at each end of the cartridge. The handgrip 13 is then repositioned on the tube to close the opening 12. A rheostat is used to control the heat output of the cartridge heater 21. The rheostat is electrically connected to the cartridge heater via a wire 33 that is threaded through the handle bar tube. As shown in the figure of Polly, the rheostat is disposed away from the handgrip. Thus, Polly does not teach or suggest positioning the rheostat or a dial that is operable to

control the heat output of the heating element such that it extends from the second end of the grip.

Hahmann does not cure the deficiencies of Polly. Hahmann discloses a regulator arrangement for a handlebar heater. The regulator includes an electrical circuit that has a manually adjaustable regulator or potentiometer. The regulator is adjusted by turning a knob R1 that extends from a housing. The knob does not extend from the end of the handgrip as recited in claim 1. Thus, both Polly and Hahmann teach that it is advantages to locate the adjustment knob *away* from the handgrip.

Yang does not cure the deficiencies of Polly and Hahmann. Yang discloses a rotatable handgrip 14 that includes a stationary reference plug 148, 149 on the end portion. The handgrip 14 is rotated to extend or retract a flexible shaft 16, which moves a control rod 20, which in turn manipulates the linkages within the mechanism box 10. The linkages within the mechanism box 10 can control a throttle control, horn switch, controllable legs, wheel brake controls, aft wheel lock, wheel brake locking device, and an engine ignition switch. *See col. 4, lines 40-45.* However, the handgrip 14 does not control the heat output of a heating element. Even if the device of Yang did control a handgrip heater, a contention Applicant disagrees with, the plug or dial that extends from the end of the handgrip remains stationary and thus controls nothing. Thus, none of the references, alone or in combination teach or suggest the use of a dial that extends from the second end of the handgrip to control the heat output of the heating element.

In addition, even if the device of Yang could be adapted to control a heating element, a teaching not found in Yang , Hahmann, or Polly, the device resulting from the combination of the references cited by the Examiner would not include a dial that extends from an end of a

hand grip to control the heat output of a heating element. Rather, the device would require rotation of the handgrip to control the heating element, as taught by Yang, or a control dial would be located away from the handgrip as taught by both Polly and Hahmann.

In light of the foregoing, Polly, Hahmann, and Yang, alone or in combination, do not teach or suggest each and every limitation of claim 1. As such, claim 1 is allowable. In addition, claims 2-7 and 9 depend from claim 1 and are allowable for these and other reasons.

Claim 10 defines a heated handgrip assembly that is adapted to be secured to a vehicle handlebar. The heated handgrip includes a grip housing that has a first end adapted to receive the handlebar and a second end opposite the first end. A grip sleeve extends between the first and second ends and a heating element is operable to provide a heat output. A dial extends from the second end to control the heat output of the heating element. The dial includes a rib.

As discussed with regard to claim 1, neither Polly, Hahmann, nor Yang, alone or in combination, teach or suggest a heated handgrip that includes, among other things, a dial that extends from the second end to control the heat output of the heating element. Rather, Polly discloses a handlebar heater that includes a rheostat 34, located *away* from the handgrip that controls the heat output. The handgrip does not include a dial that controls the rheostat 34 to control the heat output of the cartridge heater 21.

Hahmann discloses a circuit for use in controlling a heater for a handgrip. The circuit includes a potentiometer that is rotated to control the heater power. However, like Polly, Hahmann teaches that the knob that rotates the potentiometer is disposed *away* from the handgrip.

Yang discloses a handgrip 14 that can be used to control several functions of a motorcycle. However, controlling the output of a heating element is not one of the described

functions of the handgrip 14. Furthermore, the handgrip 14 does not include a dial that extends from the second end to control anything, much less a heating element. Yang does include a plug that extends from the end of the handgrip 14. However, the plug performs no control function. Rather, the handgrip 14 is rotated to perform the control function, while the plug remains stationary to provide a rotational reference for the handgrip 14.

In light of the foregoing, Polly, Hahmann, and Yang, alone or in combination, do not teach or suggest each and every limitation of claim 10. As such, claim 10 is allowable. In addition, claims 11-14 and 16 depend from claim 10 and are allowable for these and other reasons.

The Examiner rejected claims 8 and 15 under 35 U.S.C. §103(a) as being unpatentable over Polly in view of Hahmann, Yang, and MacKay (U.S. Patent No. 5,931,750).

Claim 8 depends from claim 1, and claim 15 depends from claim 10. As discussed with regard to claims 1 and 10, Polly, Hahmann, and Yang alone or in combination do not teach or suggest each and every limitation of claim 1 or claim 10.

MacKay does not cure the deficiencies of Polly, Hahmann, and Yang. MacKay discloses a baseball bat with an end cap. As an initial matter, MacKay is non-analogous art in that one looking to solve a problem associated with a heated handgrip for a motorcycle would not look to the baseball bat art.

Even if the baseball bat art was analogous, MacKay does not teach or suggest a concave end on the handle portion of the bat. Rather, MacKay teaches a concave end on the end of the bat opposite the handle. Furthermore, if one did apply the teachings of MacKay to the teachings of Polly, Hahmann, and Yang one would not arrive at the invention recited in

claims 1 or 10. MacKay teaches nothing regarding the positioning of a dial at one end of a handgrip to control the heat output of a heating element.

In light of the foregoing, Polly, Hahmann, Yang, and MacKay, alone or in combination, do not teach or suggest each and every limitation of claims 1 and 10. As such, claims 1 and 10 are allowable. In addition, claims 8 and 15 depend from claims 1 and 10 respectively, and are allowable for these and other reasons.

CONCLUSION

In light of the foregoing, Applicant respectfully submits that claims 1-16 are allowable.

The undersigned is available for telephone consultation during normal business hours.

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